

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

In re:	)	Case No. 21-14025 (JPS)
	)	
MATTHEW VERNON JOHNSON,	)	Chapter 7
	)	
Debtor.	)	Judge: JESSICA E. PRICE SMITH

**MOTION FOR EXAMINATION OF DEBTOR, MATTHEW VERNON JOHNSON,  
PURSUANT TO RULE 2004 OF THE FEDERAL RULES OF  
BANKRUPTCY PROCEDURE**

Robert D. Barr, the Trustee herein, respectfully represents to the Court that the within proceedings were commenced by the filing of a voluntary petition for relief under chapter 7 of the Bankruptcy Code on December 2, 2021 (the “Debtor’s Case”).

The Trustee further represents that an examination of the Debtor, Matthew Vernon Johnson, (the “Debtor”) is necessary to assist in the administration of the within estate as it is believed that the Debtor has information and documentary evidence relative to the furtherance of the administration of the within case which has not yet been produced. The Trustee believes the Debtor is in possession of an IRS tax transcript necessary to determine whether funds being held by the Trustee, specifically a 2021 federal tax refund sent to the Trustee, are property of the bankruptcy estate.

The Trustee’s recent and prior efforts to obtain the requested documents are described as follows:

- Email to the Debtor’s counsel following the § 341 meeting of creditors held on January 3, 2022, requesting the Debtor’s 2021 federal and state income tax returns.
- Email to Debtor’s counsel on February 1, 2022 requesting Debtor’s 2021 federal and state income tax returns.

- Emails to Debtor's counsel on March 28, 2022, April 12, 2022, April 19, 2022, May 2, 2022, May 4, 2022, and May 4, 2022 requesting Debtor's IRS transcript of his 2021 federal income tax return, as there appear to be changes made to the return and/or refund after the initial return was submitted to the IRS.
- The Debtor, through counsel, has disclosed that he requested the IRS transcript.

The Trustee requests that the examination proceed on **Tuesday, July 12, 2022 at 12:00 p.m. (Noon) via telephone conference.**

The examination may be accessed by dialing the following at the date and time of the Examination:

Telephone Number	Participant Passcode
1-866-687-3489	4097562

The following documents should be produced prior to the examination:

- IRS transcript of the Debtor's 2021 federal income tax return.

Respectfully submitted,

/s/ Robert D. Barr

Robert D. Barr (#0067121)

Chapter 7 Trustee

1111 Superior Avenue East

Suite 1360

Cleveland, Ohio 44114

Phone: (216) 744-2739

Fax: (216) 916-4369

Email: [barr-trustee@koehler.law](mailto:barr-trustee@koehler.law)

### **CERTIFICATE OF SERVICE**

I certify that on June 6, 2022, a true and correct copy of the foregoing Motion for Rule 2004 Examination was served:

**Via the Court's Electronic Case Filing System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:**

Robert D. Barr, Successor Trustee, at [barr-trustee@koehler.law](mailto:barr-trustee@koehler.law)

William J. Balena, Esq., Attorney for the Debtor, at [docket@ohbksource.com](mailto:docket@ohbksource.com)

United States Trustee at (registered address)@usdoj.gov

**And by regular U.S. mail, postage prepaid, to:**

Matthew Vernon Johnson  
1351 Rolling Meadows Drive  
Vermilion, OH 44089

Santander Consumer USA Inc.  
c/o Stewart, Zlimen & Jungers, Ltd.  
2860 Patton Road  
Roseville, MN 55113

/s/ Robert D. Barr

Robert D. Barr, Trustee